

Court of Appeals, State of Michigan

ORDER

PEOPLE OF MI V DERAY SMITH

Docket No. 290577

LC No. 03-003196-FC

Karen M. Fort Hood
Presiding Judge

Michael J. Talbot

Christopher M. Murray
Judges

The Court orders that the delayed application for leave to appeal is DENIED because defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D).

The motion to waive fees is GRANTED.

The motion for leave to amend motion from relief from judgment is DENIED.

The motion to strike prosecutor's untimely brief is DENIED.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUL 28 2009

Date

Sandra Schultz Mengel
Chief Clerk